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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/665,372	LIU ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Dave Czekaj	2613	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12-23-04.
2. ☒ The allowed claim(s) is/are 3-12, 15-17, 20-22 and 28-33.
3. ☒ The drawings filed on 9-20-00 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| <ol style="list-style-type: none"><li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li><li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li><li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li><li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li></ol> | <ol style="list-style-type: none"><li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li><li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li><li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li><li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li><li>9. <input type="checkbox"/> Other _____</li></ol> |
|--|---|

  
**CHRIS KELLEY**  
**SUPERVISORY PATENT EXAMINER**

## **DETAILED ACTION**

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. McAllister on 1/7/05.

Cancel claims 1, 2, 13, 14, 18, 19, 23, 24, 25, 26, and 27.

In claim 3, line 1, replace "1" with -- 29 --.

In claim 4, line 1, replace "1" with -- 29 --.

In claim 5, line 1, replace "1" with -- 29 --.

In claim 6, line 1, replace "1" with -- 29 --.

In claim 7, line 1, replace "1" with -- 29 --.

In claim 8, line 1, replace "1" with -- 29 --.

In claim 9, line 1, replace "1" with -- 29 --.

In claim 10, line 1, replace "1" with -- 29 --.

In claim 11, line 1, replace "1" with -- 29 --.

In claim 15, line 1, replace "14" with -- 29 --.

In claim 16, line 1, replace "14" with -- 29 --.

In claim 17, line 1, replace "14" with -- 29 --.

In claim 20, line 1, replace "18" with -- 29 --.

In claim 21, line 1, replace "18" with -- 29 --.

In claim 22, line 1, replace "18" with -- 29 --.

In claim 28, line 20, replace "selecting a requantization mode, wherein" with --  
when selecting a requantization mode --.

***Allowable Subject Matter***

2. The following is an examiner's statement of reasons for allowance:

Peterson discloses an apparatus that controls the bit rate for partitions or stripes of video pictures (Peterson: column 1, lines 7-10). This apparatus comprises "maintaining a budget of a number of processing cycles that are available at a processor to process the data" (Peterson: figure 3, column 3, lines 40-42, wherein the budget is the target number of bits, the processing cycles is a function of the bits, i.e., the higher the number of bits, the more processing cycles that are required, the processor is the stripe encoder), "maintaining an estimate of the number of processing cycles required by the processor to process the video data" (Peterson: column 4, lines 1-7, wherein the estimate is the actual number), "providing the video data to the processor" (Peterson: figure 2, wherein the global rate controller supplies the video, the processor is the encoder), "wherein the processor operates in a plurality of modes and selects one of the modes for processing each frame according to a relationship between the number of budgeted cycles and the estimated number of cycles" (Peterson: column 5, lines 24-67, column 6, lines 1-9, wherein the mode is the process of allocating extra bits to encoders that need them and taking extra bits away from

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encoders that don't need them. This is done by calculating differences between the target, or budgeted, and estimated, or actual, number of bits as illustrated in columns 5-10 for each frame where the frames are the I, P, and B frames).

However, this apparatus lacks the processor being a transcoding processor which operates in a plurality of transcoding modes. This apparatus further lacks dropping higher-frequency coefficients when selecting a requantization mode. A further search was conducted which failed to yield any prior art. Therefore, the prior art fails to teach or render obvious these limitations taken within the others in the claim


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave Czekaj whose telephone number is (703) 305-3418. The examiner can normally be reached on Monday - Friday 9 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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